

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, Cranston, RI on Tuesday, April 15, 2008 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Richard, Jasparro, Jackson, Filippi, Blackburn and Preiss. Also present was Deputy Director Carol Marsella. The following cases were heard.

APPEAL #080055: Mr. Jeffrey Butler, for the property located at 55 Jefferson Blvd., Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Preiss made a motion, seconded by Commissioners Richard and Jasparro, that this building should be considered as a two-story building. The motion was unanimous. A second motion was made by Vice Chairman Newbrook, seconded by Commissioner Jasparro, to grant the Applicant a time variance of sixty (60) days to correct any outstanding deficiencies. That motion was also unanimous.

APPEAL #080066: Mr. Michael Raheb, for the property located at 194 Douglas Avenue, Providence. ADSFM Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Jackson, to grant the following relief. The Applicant is directed to either provide proper separation per the provisions outlined in the code, or to provide a municipally connected fire alarm system in this facility. The Applicant is granted a time variance of thirty (30) days in which to provide the appropriate

plans to the Providence Fire Marshal's office, and an additional time variance of 120 days from the above time, in which to install the compliant system. The Applicant is further granted a variance from the provisions of section 31.3.5.1, and so shall not be required to install a sprinkler system in this facility, pursuant to his testimony that the fourth floor will not be utilized for sleeping, and further pursuant to the installation of suitable separation or of a municipally connected system. The motion was unanimous.

APPEAL #080065: Mr. Dennis Talbot, for the property located at 34C Main Street, Little Compton. ADSFM Fred Melnyck appeared for the Little Compton Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. No determination was made in this case, as the Applicant testified that in lieu of the requested relief for this new building, he would provide a mezzanine instead of a non-compliant second floor for this facility.

APPEAL #070310: Hughes Associates, for the property located at 530 Wellington Avenue, Cranston. ADSFM Glenn Bathgate appeared for the Cranston Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. The Applicant was directed to immediately remove flammables and padlocked exits from this facility, to check the stability of all fire escapes, and to address the deficiencies in the sprinkler system. The Applicant is directed to return before the Board in one week with a plan of action for this facility.

APPEAL #060740: Mr. Charles Cunha, for the property located at 446 Tiogue Avenue, Coventry. DSFM Cynthia Dehler and DSFM Arthur DaCosta appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Jackson, to grant the Applicant's request for a time extension of three months from the hearing date in which to comply with the Board's previous decision which arose from the May 1, 2007 hearing. The motion was unanimous.

APPEAL #080064: Mr. Jeffrey Marlowe, for the property located at 1660 Shannock Road, Shannock. DSFM Dennis McGarty appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook, that the parties concerned should consider this facility a three-story building when plans for renovation are being reviewed. The motion was unanimous.

APPEAL #060817: Mr. George Brainerd, for the property located at 43 Federal Street, Woonsocket. Deputy State Fire Marshals Dehler, DaCosta and C. Moore appeared for the State Fire Marshal's office. The State Fire Marshal's office requested that this case be held over until a more complete inspection of this facility could be made by that office. Request granted.

APPEAL #080103: Director J. Kevin Culley, for the property located at 9 Greenhouse Road, Kingston. Chief of Inspections William Howe

and DSFM Christopher Moore appeared for the State Fire Marshal's office. Commissioner Blackburn abstained from consideration of this case. Commissioner Jasparro made a motion, seconded by Commissioner Jackson, to approve the Applicant's plan of action and timeline for this facility. The motion was unanimous.

APPEAL #070549: Mr. Ted Castillo, for the property located at 809 Admiral Street, Providence. Assistant Deputy State Fire Marshals Lutz, Silva and Mills appeared for the Providence Fire Marshal's office. Commissioner Preiss made a motion, seconded by Vice Chairman Newbrook, to grant the following relief. The determination of the Board is that if the system in question is reviewed by the AHJ as a 13R system, the only approval necessary for the cited underground pipe is by the plumbing inspector, per the NFPA communication provided by the Applicant. The motion passed with Commissioner Richard abstaining.

Under old business, Timothy Williamson, Esq., presented a plan of action for code compliance for the West Warwick Field House and the West Warwick Ice Rink. ADSFM Russell McGilivray appeared for the West Warwick Fire Marshal's office. Commissioner Preiss recused himself from consideration of these cases.. Vice Chairman Newbrook made a motion, seconded by Commissioners Richard and Filippi, to approve that plan of action. Attorney Williamson further requested that the hearing for the plan of action for the West Warwick schools be held in abeyance for ninety (90) days. That motion was granted.

Respectfully submitted,
Carol Marsella